

AFFIDAVIT

Your Affiant is Sgt. Gerald A. Funelli of the Ohio State Highway Patrol and has been so employed for the past 28 years. As such, your Affiant has participated in investigations involving a variety of criminal activities, including but not limited to, homicide investigations. Through an investigation by the Ohio State Highway Patrol and the Pennsylvania State Police the Affiant knows the following:

Damian Bradford has been charged in a two count indictment in the Northern District of Ohio with a violation of Title 18, United States Code, Section 2261A (Interstate Stalking) as well as a violation of Title 18, United States Code, Section 924(c) for use of the firearm during the crime of interstate stalking. These charges arose as a result of the May 13, 2005, shooting death of Dr. Gulam Moonda on the Ohio Turnpike near Cleveland, Ohio. The case was investigated by the Ohio State Highway Patrol as a result of the turnpike venue.

In 2004, Donna Moonda and Damian Bradford began an extra-marital affair. Mrs. Moonda resided with her husband, Dr. Gulam Moonda, in Hermitage, Pennsylvania. Damian Bradford resided approximately 50 miles away from the Moondas in Aliquippa, Pennsylvania. The two had met while both were undergoing rehabilitation for drug addiction. Mrs. Moonda was a former nurse who had been prosecuted in Pennsylvania for illegally obtaining fentanyl from her hospital employer. Damian Bradford was a small time cocaine dealer. During the affair, Donna Moonda rented an apartment for Bradford and purchased vehicles, clothing and jewelry for him.

Dr. and Mrs. Moonda were married in 1990 and executed a prenuptial agreement. The prenuptial agreement limited Mrs. Moonda to a total settlement of \$250,000 if they divorced. In the event of Dr. Moonda's death, however, his Last Will and Testament bequeathed a more substantial portion of his estimated \$2-\$3 million dollar estate to his widow. In addition, in the event of Dr. Moonda's death, Donna Moonda would have received the proceeds of two life insurance policies totaling approximately \$676,000.

With the assistance of the cellular telephone companies involved, investigators were able to map out Damian Bradford's travel on May 13, 2005, by accessing cell tower locations where the calls were routed. It has been confirmed that Damian Bradford was the individual utilizing the cell phone through numerous interviews with individuals who either called Bradford or received a call from him. In the early afternoon hours of May 13, 2005, that information showed Bradford moving North and Donna Moonda traveling South in Pennsylvania to a meeting location mid-way between their residences. Shortly thereafter, Donna Moonda traveled back to Hermitage and Bradford traveled back to the Aliquippa area, north of Pittsburgh, Pennsylvania. In mid-afternoon, Bradford traveled North until he eventually reached Hermitage, Pennsylvania, between 3-4 p.m. At approximately 4:30 p.m. the Moondas, along with Donna Moonda's mother, Dorothy Smouse, left Hermitage, Pennsylvania and traveled on the Ohio Turnpike on a planned trip to Toledo, Ohio. Cell site information, along with time/distance calculations, showed Damian Bradford moving in sync with the Moondas from Pennsylvania to the Ohio Turnpike.

Dr. Moonda was driving his 2000 Jaguar when he entered the Ohio Turnpike at the MP218 interchange at approximately 5:09 p.m. This is confirmed by the ticket found on Dr. Moonda's body. Less than a half hour later the Moondas stopped at the Portage Service Plaza for approximately 30 minutes. A surveillance video shows Donna Moonda and her mother making a purchase. Donna Moonda took her husband's wallet from her purse and tried to pay with a \$50 bill. Donna and her mother estimate they were in the service plaza for about a half hour. Bradford's cell phone records indicated he received a call at the approximate time the Moondas were at the service plaza.

The Moondas continued West on the Ohio Turnpike in Dr. Moonda's Jaguar, however, the car was being driven by Donna Moonda. Approximately 34 miles from the service plaza, Donna Moonda pulled the vehicle over.

According to Donna Moonda and Mrs. Smouse, they were accosted by a male of unknown race who was approximately 5'2" to 5'4". The male demanded Dr. Moonda's wallet and it was turned over to him. He then shot Dr. Moonda in the right temple. Both Donna Moonda and her mother said the male left the scene in a black minivan, but they were unable to obtain a better description of the vehicle or even the state which issued the license plate. Donna Moonda and her mother flagged down help and a driver stopped to help Dr. Moonda. He called 911 after the shooting but believed Dr. Moonda was suffering from a severe nosebleed. Donna never told the man that her husband had been shot. Interviews of Dorothy Smouse regarding the evening's events are inconsistent. She confirms that the shooter was driving a dark minivan and initially stated that the shooter was a black male. She later changed her statement to indicate she was unsure of the race of the shooter.

Cell phone records of Damian Bradford indicated he was taking and receiving calls across the Ohio Turnpike and back to Pennsylvania. Significantly, Bradford received a call at 6:04 p.m. which indicated that he was just West of the Portage Service Plaza. At 7:09 p.m. Bradford received another call which logged a cell tower location just East of the Portage Service Plaza. Between those two calls, only one call at 6:29 p.m. was not answered by Bradford and went to his voice mail which did not log a cell tower location. However, time and distance calculations would have permitted Bradford to travel West to the scene of the shooting, exit the Ohio Turnpike at a toll plaza West of the shooting, reenter the turnpike, and then travel East on the Ohio Turnpike in time to receive the aforementioned 7:09 p.m. call at the service plaza. Cell phone information reflects that Bradford made or received a series of calls while he continued traveling East on the Ohio Turnpike and the Pennsylvania Turnpike until he reached the Beaver County, Pennsylvania area. He arrived late to a Narcotics Anonymous meeting at approximately 8:30 p.m. that evening.

A shell casing to a 9mm handgun was recovered from the crime scene. It has been determined that Dr. Moonda was killed with a Federal 9mm hollow point bullet. Individuals interviewed during the investigation confirmed that Damian Bradford had a black handgun as late as April, 2005.

A week after the homicide, Bradford's apartment was searched and evidence belonging to Donna Moonda was located as well as syringes and steroids. Also located were 19 fifty dollar bills which Bradford claimed was drug money. According to Donna Moonda and her mother, Dr. Moonda was carrying approximately \$3,000 in fifty dollar bills on the evening of his murder.

Several months after the murder, Dr. Moonda's wallet and credit cards were found near the East bound lanes (towards Pennsylvania and approximately 15 miles from the scene of the homicide).

On July 21, 2006, Damian Bradford, in anticipation of entering a guilty plea to the above offenses, provided a statement to Sgt. Dennis Goodhart of the Ohio Highway Patrol. In that statement Damian Bradford implicated Donna Moonda as conspiring with him to murder Dr. Gulam Moonda on May 13, 2005. Bradford stated that during their relationship Donna Moonda approached him to murder her husband. She advised Bradford that she would obtain approximately \$3 to \$6 million if her husband were dead and agreed to provide half of those monies to Bradford in exchange for killing her husband. Donna Moonda met Bradford mid-day on May 13, 2005 in an area of Lawrence County, Pennsylvania in order to provide him with a map detailing their route to Toledo, Ohio where the Moondas were to spend the weekend. Bradford, who was already in possession of a 9 mm firearm, was to shoot Dr. Moonda somewhere along the Ohio Turnpike in Ohio. Bradford was instructed by Donna Moonda to make the shooting look like an armed robbery. She also told Bradford she would provide a statement to police inconsistent with his own physical description. Bradford was also to wait in the Hermitage, Pennsylvania area and follow the Moondas in the late afternoon when they departed their Hermitage residence for the Toledo trip. At approximately 4:30 p.m. Donna Moonda sent a text message from her cell phone to Bradford's cell phone indicating that they were leaving. Bradford followed the Moondas from Hermitage, Pennsylvania to the Ohio Turnpike and stopped at the Portage Service Plaza at the same time as the Moondas. Approximately a half hour later, Bradford observed Donna Moonda leaving the service plaza area driving the Jaguar. Bradford continued following the Jaguar West on the Ohio Turnpike until Donna Moonda pulled the Jaguar over to the side of the road in Cuyahoga County, Ohio. At that time, Bradford approached Dr. Moonda, who was outside of the car and observed Bradford approaching him brandishing the firearm. Bradford ordered Dr. Moonda inside the vehicle and demanded money. After obtaining Dr. Moonda's wallet, Damian Bradford shot Dr. Moonda once in the head which resulted in the death of Dr. Moonda. He then fled continuing

West on the Ohio Turnpike, exited and traveled back to Pennsylvania on the turnpike. During the course of his trip, he threw the wallet and its contents out of the vehicle after first retrieving approximately \$3,000 in primarily fifty dollar bills from the wallet.

Sgt. Gerald A. Funelli

Sworn to and subscribed in my presence this _____ day of July, 2006.

George J. Limbert
United States Magistrate Judge